

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)	
relation of State Engineer,)	
)	69cv07941-BB-ACE
Plaintiff,)	69cv07896-BB-ACE
)	68cv07488-BB-ACE
-v-)	
)	RIO CHAMA
VARIOUS WATER RIGHTS CLAIMANTS,)	RIO DE TAOS AND RIO HONDO
)	RIOS SANTA CRUZ AND
Defendants.)	TRUCHAS
)	

ORDER VACATING ADMINISTRATIVE MEMORANDUM
STANDARDS FOR PREPARING PARTIAL FINAL DECREES

THIS ORDER is entered *sua sponte* to guide the course of the above-referenced stream system adjudications, and reflects discussions with the Special Master and the Court's adjudication staff. Being fully advised in the premises, the Court finds:

1. On August 6, 1996, this Court entered an Administrative Memorandum on Standards for Preparing Partial Final Decrees (Docket Nos. Chama, 5466; Taos, 2441; and Santa Cruz/Truchas, 2070). The purpose of the memorandum was to provide guidance to the plaintiffs, the Special Master, and the Court's data manager in preparing partial final decrees. Uniform standards for descriptions of state law-based rights and methods of data compilation and presentation were promulgated to ensure a high level of accuracy, and to assist water rights claimants and members of the public in accessing the information easily.

2. Those uniform standards were based on the best existing practices in both data management and adjudication practice by the Office of the State Engineer, and guided the production

of the final decree in the adjudication of the Red River and the partial final decree on non-federal rights in the Rio Jemez adjudication.¹

3. Since that time technical advances in state engineer adjudication methods and a greater understanding of the mechanics of data management and the requirements of the cases have rendered the previous standards obsolete in many areas.

4. Given the rapid rate of technical advances, the Court recognizes that each future partial final decree, or final decree, should be produced according to the best technical standards existing at the time of production.

IT IS ORDERED, THEREFORE, that

1. The Administrative Memorandum on Standards for Preparing Partial Final Decrees entered in each of the above-referenced adjudications be VACATED.

2. Standards for descriptions of state law-based rights and methods of data compilation for each future decree will be formulated by parties, the Special Master, and Court staff at the appropriate times.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

Recommended for Approval:

/electronic signature/
SPECIAL MASTER VICKIE L. GABIN

¹ The decrees in State v. MolyCorp, 72cv09780, and State v. Abousleman, 83cv01041, were entered December 1, 2000.